IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Crl.MC.No. 620 of 2007()

CR.NO.125/07 OF PANDALAM POLICE STATION

PETITIONER:

SUJITH MATHEW,
S/O.T.S.MATHEW,
T.V.S.BUILDING,
PERISSERY P.O., PULLIYOOR VILLAGE,
CHENGANNUR TALUK,
ALAPPUZHA DISTRICT.

BY ADV. SRI.K.RAVEENDRAN
SRI.ANIL KUMAR M.SIVARAMAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE, PANDALAM.

3. THE SUB INSPECTOR OF POLICE,PANDALAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.620 of 2007

Dated this the 7th day of March 2007

O R D E R

The petitioner has come to this court complaining about the oppressive action of the police in seizing his vehicle and not releasing the same to the petitioner though it is involved only in a traffic offence. The petitioner has applied for release of the vehicle before the learned Magistrate on 02/03/2007. The vehicle has been remaining in custody of the police from 26/2/2007. The petitioner laments that the unnecessary detention of the vehicle in custody is causing great hardship and loss to the petitioner. He submits that the vehicle, as a stage carriage permit, cannot be plied. Even the members of the public are hence put to great suffering, it is submitted.

2. I am at a loss to understand why the vehicle has been seized, if it is involved only in a traffic offence. It would only be appropriate for the learned Magistrate to consider the application for release of the vehicle as expeditiously as possible. The petition was filed on 02/03/2007 and the petitioner has come before this court on 06/03/2007. But I reckon the anxiety of the

petitioner to be absolutely justified. The learned Magistrate must dispose of this petition as expeditiously as possible, at any rate, within a period of three days from the date of receipt of a copy of this order. This Criminal Miscellaneous Case is allowed to the above extent.

Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006